

**Notice of Allowability**

Application No.

10/664,327

Examiner

Rex Holmes

Applicant(s)

SCHIESSLE ET AL.

Art Unit

3762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/22/07.
2. ☒ The allowed claim(s) is/are 27-42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9. <input type="checkbox"/> Other _____.   |

### **EXAMINER INITIATED INTERVIEW**

Claims were amended so that claim language was in correspondence with specification language.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William Conger on 11/08/07.

The application has been amended as follows:

In Claim 27, line 10, "low to high" was deleted and the following was inserted.

-- not very likely to highly likely --

In Claim 27, line 13, "low" was deleted and -- not very likely -- was inserted.

In Claim 27, line 14, "low and high" was deleted and the following was inserted.

-- not very likely to highly likely --

In Claim 27, line 15, "high" was deleted and -- highly likely -- was inserted.

In Claim 27, line 16, "displays" was deleted and -- display elements -- was inserted.

In Claim 27, line 17, "by" was deleted and -- being -- was inserted.

In Claim 27, line 17, immediately after "display" -- element -- was inserted.

In Claim 27, line 18, immediately after "display" -- element -- was inserted.

In Claim 27, line 21, immediately after "visible display", -- element -- was inserted.

In Claim 29, line 2, immediately after "visible display", -- element -- was inserted.

In Claim 30, line 2, both instances of "displays" were deleted and -- display elements -- were inserted.

In Claim 31, line 1, immediately after "visible display", -- element -- was inserted.

In Claim 32, line 2, immediately after "visible", "displays" was deleted and -- display elements -- was inserted.

In Claim 33, line 2, immediately after "visible", "displays" was deleted and -- display elements -- was inserted.

In Claim 34, line 2, immediately after "visible", "displays" was deleted and -- display elements -- was inserted.

In Claim 34, line 3, "low" was deleted and -- not very likely -- was inserted.

In Claim 34, line 4, "intermediate" was deleted and -- likely -- was inserted.

In Claim 34, line 5, "high" was deleted and -- highly likely -- was inserted.

In Claim 36, line 11, "low" was deleted and -- not very likely -- was inserted.

In Claim 36, line 12, "low and high" was deleted and the following was inserted.  
-- not very likely to highly likely --

In Claim 36, line 13, "high" was deleted and -- highly likely -- was inserted.

In Claim 36, line 16, "low" was deleted and -- not very likely -- was inserted.

In Claim 36, line 17, "low and high" was deleted and the following was inserted.

-- not very likely to highly likely --

In Claim 36, line 17, "high" was deleted and -- highly likely -- was inserted.

In Claim 36, line 18, "displays" was deleted and -- display elements -- was inserted.

In Claim 36, line 19, immediately after "display" -- element -- was inserted.

In Claim 36, line 20, immediately after "display" -- element -- was inserted.

In Claim 37, line 2, both instances of "displays" were deleted and -- display elements -- were inserted.

In Claim 38, line 1, immediately after "display" -- element -- was inserted.

In Claim 39, line 2, "displays" was deleted and -- display elements -- was inserted.

In Claim 40, line 2, "displays" was deleted and -- display elements -- was inserted.

In Claim 41, line 2, both instances of "displays" were deleted and -- display elements -- were inserted.

In Claim 41, line 3, "low" was deleted and -- not very likely -- was inserted.

In Claim 41, line 4, "intermediate" was deleted and -- likely -- was inserted.

In Claim 41, line 5, "high" was deleted and -- highly likely -- was inserted.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rex Holmes whose telephone number is 571-272-8827.

The examiner can normally be reached on M-F 8:00 - 5:00.


Art Unit: 3762

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Angela Sykes can be reached on 571-272-4955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Rex Holmes  
Examiner  
Art Unit 3762



George Evanisko  
Primary Examiner  
Art Unit 3762

11/13/17